

SUBJECT: (Optional)		160		10	
FROM: Daniel C. King Director of Logistics		EXPENSION		NO OL 0025-84	
				DATE 14 February 1984	
TO: (Officer designation, room number, and building)		DATE		OFFICER'S INITIALS	
		RECEIVED		FORWARDED	
1. LGFLD/OGC		2/5/84 84-100		2/5/84 JMM	
2.					
3. Director of Security		15 FEB 1984			
4.					
5. DDA 7D-24, Headquarters		17 FEB 1984		2	
6.					
7. Comptroller 4E-42, Headquarters		2/21/84			
8.					
9. Executive Registry 7E-12, Headquarters		29 FEB 1984		P	
10.					
11. Executive Director 7E-12, Headquarters		29 Feb 84		01 MAR 1984 BDR	
12.					
13.					
14.					
15.					

As the attached memo states, we intend to contract out the maintenance and operation responsibility when assumed from GSA. It is our best estimate that we will, nevertheless, require positions (from the [redacted] that GSA has presently designated for the maintenance and operation function). [redacted] of these positions will be used for contract administration. [redacted] will be needed to perform specialized functions (i.e., elevator mechanics (3) and cabinet makers (2)), [redacted] will assume the duties currently performed in the GSA office in Headquarters (maintaining record keeping, schedules, financial data, etc.), and the remaining [redacted] will be used for project managers, a configuration management board, and to ensure the safety/security aspects of the contractors' work.

7/11 - 5  
LET'S CHARGE!

17 FEB 1984

OLL 84-1101  
19 March 1984

MEMORANDUM FOR: Deputy Director for Central Intelligence

FROM:   
Acting Director, Office of Legislative Liaison

SUBJECT: Increased Compensation for DCI and DDCI  
in the FY 1985 Intelligence Authorization Bill

STAT

1. Concerning your inquiry regarding the proposed promotion of the Director (DCI) and Deputy Director of Central Intelligence (DDCI) in this year's Authorization Bill, this change is being accomplished by amending the various lists of positions which are compensated at Levels I, II and III of the Executive Schedule. As you know, the DCI is currently included in the list of positions which are compensated at an annual rate of basic pay at Level II of the Executive Schedule. The DDCI is compensated at an annual rate of basic pay at Level III of the Executive Schedule. Our proposed provision in this year's Authorization Bill would elevate the DCI to the list of positions included within Level I of the Executive Schedule. It would correspondingly include the DDCI in the list of individuals compensated at Level II of the Executive Schedule. In order to conform the Level III listing from which you are being removed, it is necessary to strike the position of DDCI from this listing of positions, since the DDCI will be included in schedule II under our proposed amendment. A copy of the listing of current positions compensated at Levels I, II and III of the Executive Schedule is attached for your review.

2. If you have any further questions concerning this matter, do not hesitate to contact me.

STAT

DISTRIBUTION:

Original - Addressee  
1 - OLL Chrono  
✓ 1 - LEG File: FY 85 Intel Auth Bill  
1 - D/OLL  
1 - DD/OLL  
1 - SWH Signer

SWH:csH (19 March 1984)

**5 § 5312****EMPLOYEES****Part 3****§ 5312. Positions at level I**

Level I of the Executive Schedule applies to the following positions for which the annual rate of basic pay shall be the rate determined with respect to such level under chapter 11 of title 2, as adjusted by section 5318 of this title:

Secretary of State.  
 Secretary of the Treasury.  
 Secretary of Defense.  
 Attorney General.  
 Secretary of the Interior.  
 Secretary of Agriculture.  
 Secretary of Commerce.  
 Secretary of Labor.  
 Secretary of Health and Human Services.  
 Secretary of Housing and Urban Development.  
 Secretary of Transportation.  
 Special Representative for Trade Negotiations.  
 Secretary of Energy.  
 Secretary of Education.

Pub.L. 89-554, Sept. 6, 1966, 80 Stat. 460; Pub.L. 89-670, § 10(d)(1), Oct. 15, 1966, 80 Stat. 948; Pub.L. 91-375, § 6(c)(12), Aug. 12, 1970, 84 Stat. 776; Pub.L. 93-618, Title I, § 141(b)(3)(A), Jan. 3, 1975, 88 Stat. 1999; Pub.L. 94-82, Title II, § 202(b)(1), Aug. 1, 1975, 89 Stat. 419; Pub.L. 95-91, Title VII, § 710(c), Aug. 4, 1977, 91 Stat. 609; Pub.L. 96-54, § 2(a)(25)(A), Aug. 14, 1979, 93 Stat. 382; Pub.L. 96-88, Title V, § 508(c), (g), Oct. 17, 1979, 93 Stat. 692.

**1979 INCREASES IN SALARIES**

Salaries of positions at Level I increased to \$74,500 per annum, effective in the first pay period beginning on or after Oct. 1, 1979, see *Ex.Ord.No.12165*, Oct. 9, 1979, 44 F.R. 58671, set out as a note under section 5332 of this title. *Ex.Ord.No.12165*, further provided that on Oct. 1, 1979 the limitation in Schedule 5 of *Ex.Ord.No.12087*, Oct. 7, 1978, changed and for the period Oct. 1, 1979 to the start of the first applicable pay period in fiscal 1980 the following rate of pay, \$69,600, was payable.

**1978 INCREASES IN SALARIES**

Salaries of positions at Level I increased to \$69,600 per annum, effective in the first pay period beginning on or after Oct. 1, 1978, see *Ex.Ord.No.12087*, Oct. 7, 1978, 43 F.R. 48823, set out as a note under section 5332 of this title. *Ex.Ord.No.12087*, further provided that pursuant to the Legislative Branch Appropriation Act, 1979, the following rate of pay, \$64,500, was payable.

**Ch. 53****PAY RATES AND SYSTEMS****5 § 5312**

**FIRST COMPARABILITY PAY ADJUSTMENT AFTER JULY 11, 1977,  
 IN ANNUAL RATE OF PAY FOR POSITIONS IN  
 EXECUTIVE SCHEDULE NOT TO TAKE EFFECT**

The first adjustment which, but for the enactment of Pub.L. 95-66, would have been made in the annual rate of pay for positions in the Executive Schedule under section 5318 of this title after July 11, 1977, not to take effect, see section 1(4) of Pub.L. 95-66, set out as a note under section 5318 of this title.

**1977 INCREASES IN SALARIES**

Salaries of positions at Level I increased to \$66,000 per annum, upon recommendation of the President of the United States, see note set out under section 358 of Title 2, The Congress.

**1976 INCREASES IN SALARIES**

Salaries of positions at Level I increased to \$66,000 per annum, effective on the first day of the first pay period beginning on or after Oct. 1, 1976, by *Ex.Ord.No.11941*, Oct. 1, 1976, 41 F.R. 43889. *Ex.Ord.No.11941*, further provided that pursuant to the Legislative Branch Appropriation Act, 1977, funds are not available to pay a salary at a rate which exceeds the rate in effect on Sept. 30, 1976, which was \$63,000.

**1975 INCREASES IN SALARIES**

Salaries of positions at Level I increased to \$63,000 per annum, effective on the first day of the first pay period beginning on or after Oct. 1, 1975, by *Ex.Ord.No.11883*, Oct. 6, 1975, 40 F.R. 47091.

**1969 INCREASES IN SALARIES**

Salaries of positions at Level I increased from \$55,000 to \$60,000 per annum, commencing on the first day of the pay period which begins after February 14, 1969, upon recommendation of the President of the United States, see note set out under section 358 of Title 2, The Congress.

**Historical and Revision Notes**

Derivation:	United States Code	Revised Statutes and Statutes at Large
	5 U.S.C. 2211(a)	Aug. 14, 1964, Pub.L. 88-426, § 303(a), 78 Stat. 412.

**Explanatory Notes**

Standard changes are made to conform with the definitions applicable and the style of this title as outlined in the preface to the report.

Classification. Numbered designations for the position added by Pub.L. 96-88 have been omitted in view of the deletion of all numbered designations in this section by Pub.L. 96-54.

Pub.L. 96-88, § 508(g), substituted "Health and Human Services" for "Health, Education, and Welfare" in item relating to the Secretary of Health and Human Services.

Pub.L. 96-54 struck out paragraph designations (1) to (14) for the positions listed.

1977 Amendment. Par. (14). Pub.L. 95-91 added par. (14).

Amendments. Pub.L. 94-82 substituted "Health and Human Services" for "Health, Education, and Welfare" in item relating to the Secretary of Health and Human Services.

President may authorize the this section by the Office of Person- individuals not subject to the provisions in the competitive service, by such

or test of (b) to (d)]

I, § 2314(c)(2), Oct. 17, 1980, 94

**Savings Provisions.** All actions made, issued, undertaken, entered into, or taken under the authority of any law repealed, modified or affected by the Foreign Services Act of 1980, Pub.L. 96-465, Oct. 17, 1980, 94 Stat. 2071, to continue in full force and effect until modified, revoked, or superseded by appropriate authority, see section 4172 of Title 22, Foreign Relations and Intercourse.

**Legislative History.** For legislative history and purpose of Pub.L. 96-465, see 1980 U. S. Code Cong. and Adm. News, p. 4419.

## regulations

tions of the agencies and the Office ect to this subchapter, subchapter III title, the Foreign Service Act of 1980, title 38 relating to employees in the y, Veterans' Administration, are sub- ns as the President may prescribe. nd regulations of the President may

or test of (1) to (5)]

II, § 2314(c)(3), Oct. 17, 1980, 94

set out as a note under section 3901 of Title 22, Foreign Relations and Inter- course.

**Savings Provisions.** All actions made, issued, undertaken, entered into, or taken under the authority of any law repealed, modified or affected by the Foreign Services Act of 1980, Pub.L. 96-465, Oct. 17, 1980, 94 Stat. 2071, to continue in full force and effect until modified, revoked, or superseded by appropriate authority, see section 4172 of Title 22, Foreign Relations and Intercourse.

**Legislative History.** For legislative history and purpose of Pub.L. 96-465, see 1980 U. S. Code Cong. and Adm. News, p. 4419.

## adjustments

"(3) Each increase in a pay rate or schedule which takes effect pursuant to paragraph (1) shall, to the maximum extent practicable, be of the same percent- age, and shall take effect on the first day of the first applicable pay period commencing on or after October 1 of such fiscal year."

**Percentage Limitation on Adjustment of Rates of Pay.** Pub.L. 97-35, Title XVII, § 1701(a), Aug. 13, 1981, 95 Stat. 782, provided that: "(a) Notwithstanding any other provision of law, the overall percentage of the adjustment of the rates of pay under the General Schedule or any other statutory pay system under section 5305 of title 5, United States Code [this section], which is to become effective with the first applicable pay period commencing on or after October 1, 1981, shall not exceed 4.8 percent."

[See main volume for text of (1) and (2)]

may be adjusted, by the appropriate authority concerned, effective at the beginning of the first applicable pay period commencing on or after the day on which a pay adjustment becomes effective under section 5305 of this title, by whichever of the following methods the appropriate authority concerned considers appropriate—

[See main volume for text of (i) to (iii); (b) to (d)]

As amended Pub.L. 97-258, § 3(a)(10), Sept. 13, 1982, 96 Stat. 1063.

1982 Amendment. Subsec. (a). Pub.L. 97-258, § 3(a)(10), substituted "sections 1241, 1342, and 1349-1351 and subchapter II of chapter 15" for "section 605".

**Legislative History.** For legislative history and purpose of Pub.L. 97-258, see 1982 U.S.Code Cong. and Adm.News, p. 1895.

## § 5306. Pay Limitation

### 1. Applicability of section

Limitation of this section is not appli- able to payments for credit hours. 1981, 80 Comp.Gen. 623.

## § 5311. The Executive Schedule

**Plan for Authorizing Executive Level Positions in Executive Branch; Presiden- tial Submission to Congress.** Section 414(b)(2) of Pub.L. 96-454 required the President to transmit by Jan. 1, 1980, a plan to Congress for authorizing execu-

tive level positions in the executive branch.

**Legislative History.** For legislative history and purpose of Pub.L. 96-54, see 1979 U. S. Code Cong. and Adm. News, p. 931.

## § 5312. Positions at level I

Level I of the Executive Schedule applies to the following positions for which the annual rate of basic pay shall be the rate determined with respect to such level under chapter 11 of title 2, as adjusted by section 5318 of this title:

[See main volume for text of preceding positions]

United States Trade Representative.

[See main volume for text of following positions]

As amended Pub.L. 97-456, § 3(d)(5), Jan. 12, 1983, 96 Stat. 2505.

**Repeals.** Pub.L. 93-618, Title I, § 141(b)(3)(A), Jan. 3, 1975, 88 Stat. 1968, set out in the credit of this section, was repealed by Pub.L. 97-456, § 3(d)(1), Jan. 12, 1983, 96 Stat. 2505.

**1983 Increases in Salaries.** Salaries of positions at Level I increased to \$88,000 per annum, effective on the first day of the first pay period beginning on or after Oct. 1, 1983, as provided by Ex. Ord. No. 12387, Oct. 8, 1982, 47 F.R. 44961, set out as a note under section 5312 of this title. Ex. Ord. No. 12387 further provided that pursuant to section 101(e) of Pub.L. 97-276 funds are not available to pay a salary at a rate which exceeds the rate in effect on Sept. 30, 1982, which was \$69,630.00.

**Limitation on the use of funds appro- priated or authority made available for the period Oct. 1, 1982, through Sept. 30, 1983, by any Act to pay the salary or pay of any individual in an office or po- sition in the legislative, executive, or ju- dicial branch, or in the government of the District of Columbia, at a rate equal to or greater than Level V of the Execu- tive Schedule, see section 306(a), (b), and (d) of S.2989, Ninety-seventh Congress, 2nd Session, as reported Sept. 22, 1982, which was incorporated by reference in Pub.L. 97-378, § 101(e), Oct. 2, 1982, 96 Stat. 1189, to be effective as if enacted**

into law, and which is set out as a note under section 5318 of this title.

**1981 Increases in Salaries.** Salaries of positions at Level I increased to \$85,200 per annum, effective on the first day of the first pay period beginning on or after Oct. 1, 1981, as provided by Ex. Ord. No. 12330, Oct. 15, 1981, 46 F.R. 55921, set out as a note under section 5312 of this title. Ex. Ord. No. 12330 further provided that pursuant to section 101(e) of Pub.L. 97-61 funds are not available to pay a salary at a rate which exceeds the rate in effect on Sept. 30, 1981, which was \$69,630.00.

**Limitations on use of funds for fiscal year ending Sept. 30, 1982, appropriated by any Act to pay the salary or pay of any individual in legislative, executive, or judicial branch in position equal to or above Level V of the Executive Schedule, see sections 101(g) and 141 of Pub.L. 97-92, set out as a note under section 5318 of this title.**

**1980 Increases in Salaries.** Salaries of positions at Level I increased to \$81,300 per annum, effective on the first day of the first pay period beginning on or after Oct. 1, 1980, as provided by Ex. Ord. No. 12344, Oct. 16, 1980, 45 F.R. 69199. Ex. Ord. No. 12344 further provided that pursuant to section 101(e) of Pub.L. 96-569, funds are not available to pay a sal-

## 5 § 5312 GOVERNMENT ORGANIZATION

ary at a rate which exceeds the rate in effect on Sept. 30, 1980, which was \$80,630.

Limitations on use of funds for fiscal year ending Sept. 30, 1981, appropriated by any Act to pay the salary or pay of any individual in legislative, executive, or judicial branch in position equal to or above Level V of the Executive Schedule, see section 101(c) of Pub.L. 96-534, as amended, set out as a note under section 5318 of this title.

**1979 Increases in Salaries.** Salaries of positions at Level I increased to \$74,500 per annum, effective on the first day of the pay period beginning on or after Oct. 1, 1979, as provided by Ex. Ord. No. 12165, Oct. 9, 1979, 44 F.R. 55671, as amended by Ex. Ord. No. 12200, Mar. 12, 1980, 45 F.R. 16443. Ex. Ord. No. 12165 further provided that pursuant to section 101(c) of Pub.L. 96-534 funds appropriated for fiscal year 1980 may not be used to pay a salary at a rate which exceeds an increase of 5.5 percent over the rate in effect on Sept. 30, 1978, which is a maximum rate payable of \$80,630.

### § 5313. Positions at level II

Level II of the Executive Schedule applies to the following positions, for which the annual rate of basic pay shall be the rate determined with respect to such level under chapter 11 of title 2, as adjusted by section 5318 of this title:

- Deputy Secretary of Defense.
- Deputy Secretary of State.
- Administrator, Agency for International Development.
- Administrator of the National Aeronautics and Space Administration.
- Administrator of Veterans' Affairs.
- Deputy Secretary of the Treasury.
- Deputy Secretary of Transportation.
- Chairman, Nuclear Regulatory Commission.
- Chairman, Council of Economic Advisers.
- Chairman, Board of Governors of the Federal Reserve System.
- Director of the Bureau of the Budget.
- Director of the Office of Science and Technology.
- Director of the United States Arms Control and Disarmament Agency.

- Director of the United States Information Agency.
- Director of Central Intelligence.
- Secretary of the Air Force.
- Secretary of the Army.
- Secretary of the Navy.
- Administrator, Federal Aviation Administration.
- Director of the National Science Foundation.
- Deputy Attorney General.
- Deputy Secretary of Energy.
- Deputy Secretary of Agriculture.
- Director the Office of Personnel Management.
- Ambassadors at Large.
- Administrator, Federal Highway Administration.

As amended Pub.L. 96-465, Title II, § 2302, Oct. 17, 1980, 94 Stat. 2164; Pub.L. 97-449, § 3(1), Jan. 12, 1983, 96 Stat. 2441.

**1980 Amendment.** Pub.L. 96-465 added item relating to Ambassadors at Large. Effective Date of 1980 Amendment. Amendment by Pub.L. 96-465 effective Feb. 15, 1981, except as

Applicability to funds appropriated by any Act for fiscal year ending Sept. 3, 1980, of limitation of section 304 of Pub.L. 96-391 on use of funds to pay the salary or pay of any individual in legislative, executive, or judicial branch in position equal to or above Level V of the Executive Schedule, see section 101(c) of Pub.L. 96-534, set out as a note under section 5318 of this title.

**Compensation and Emoluments of Secretary of State; Fixing as level in Effect on January 1, 1977.** Pub.L. 96-241, § 1, May 3, 1980, 94 Stat. 343, limited the compensation and other emoluments attached to the office of Secretary of State to those in effect Jan. 1, 1977, during the period beginning May 3, 1980, and ending on the date on which the first individual appointed to that office after May 3, 1980, ceases to hold that office.

**Legislative History.** For legislative history and purpose of Pub.L. 96-54, see 1979 U. S. Code Cong. and Adm. News, p. 931. See, also, Pub.L. 96-534, 1979 U. S. Code Cong. and Adm. News, p. 1514; Pub.L. 97-456, 1983 U.S. Code Cong. and Adm. News, p. —.

vided, see section 2403 of Pub.L. 96-465, set out as a note under section 3901 of Title 22, Foreign Relations and International course.

## GOVERNMENT ORGANIZA

**Repeals.** Section 16(c) of Pub.L. 96-494, set out in the credit of this section, was repealed by Pub.L. 97-449, § 7(b), Jan. 12, 1983, 96 Stat. 2444.

**1980 Increases in Salaries.** Salaries of positions at Level II increased to \$77,300 per annum, effective on the first day of the first pay period beginning on or after Oct. 1, 1980, as provided by Ex. Ord. No. 12367, Oct. 8, 1980, 45 F.R. 44981, set out as a note under section 5313 of this title. Ex. Ord. No. 12367 further provided that pursuant to section 101(c) of Pub.L. 97-276 funds are not available to pay a salary at a rate which exceeds the rate in effect on Sept. 30, 1982, which was \$80,632.50.

**Limitation on the use of funds appropriated or authority made available for the period Oct. 1, 1982, through Sept. 30, 1983, by any Act to pay the salary or pay of any individual in an office or position in the legislative, executive, or judicial branch, or in the government of the District of Columbia, at a rate equal to or greater than Level V of the Executive Schedule, see section 306(a), (b), and (d) of S.2939, Ninety-seventh Congress, 2nd Session, as reported Sept. 22, 1982, which was incorporated by reference in Pub.L. 97-276, § 101(a), Oct. 2, 1982, 96 Stat. 1189, to be effective as if enacted into law, and which is set out as a note under section 5318 of this title.**

**1981 Increases in Salaries.** Salaries of positions at Level II increased to \$74,300 per annum, effective on the first day of the first pay period beginning on or after Oct. 1, 1981, as provided by Ex. Ord. No. 12330, Oct. 15, 1981, 46 F.R. 50921, set out as a note under section 5313 of this title. Ex. Ord. No. 12330 further provided that pursuant to section 101(c) of Pub.L. 97-61 funds are not available to pay a salary at a rate which exceeds the rate in effect on Sept. 30, 1981, which was \$80,632.50.

**Limitations on use of funds for fiscal year ending Sept. 30, 1982, appropriated by any Act to pay the salary or pay of any individual in legislative, executive, or judicial branch in position equal to or above Level V of the Executive Schedule, see sections 101(g) and 141 of Pub.L. 97-27 set out as a note under section 5318 of this title.**

**1980 Increases in Salaries.** Salaries of positions at Level II increased to \$70,900

per annum, the first pay or Oct. 1, 1980, No. 12348, Oct. 1, 1980, set out as a note under section 5313 of this title. Ex. Ord. No. 12348 further provided that pursuant to section 101(c) of Pub.L. 96-391 pay a salary rate in effect on Sept. 30, 1980, which was \$80,632.50.

**Limitations year ending by any Act any individual judicial branch above Level see section amended, set 5318 of this ti**

**1979 Increa positions at per annum, the first pay or Oct. 1, 1979, Oct. 1, 1979, amended by 1980, 45 F.R. further provi 101(c) of Pub for fiscal ye pay a salary increase of effect on Sep m m rate p**

**Applicabili any Act for 1980, of lin Pub.L. 96-39 salary or pa tive, execu position equ Executive Sc Pub.L. 96-53, tion 5318 of t**

**Legislative history and 1979 U. S. Co 931. See, al Code Cong. Pub.L. 97-44 Adm. News, p Cross Refer Annual rat ler General c section 708 nance.**

### § 5314. Positions at level III

Level III of the Executive Schedule applies to for which the annual rate of basic pay shall be respect to such level under chapter 11 of title 2, as adjusted by section 5318 of this title:

- Solicitor General of the United States.
- Under Secretary of Commerce, Under Secretary of Economic Affairs, and Under Secretary of Tourism.
- Under Secretary of Education.
- Under Secretary of Health and Human Services.
- Under Secretary of the Interior.
- Under Secretary of Labor.

- Under Secretary of State for Political Affairs.
- Under Secretary of State for Economic Affairs and an Under Secretary for Coordinating Security Assistance Programs.
- Under Secretary of State for Management.

- Under Secretary of the Treasury (or Comptroller of the Treasury).
- Under Secretary of the Treasury for Monetary and International Services.

availability to funds appropriated by Act for fiscal year ending Sept. 30, 1961, of limitation of section 504 of Pub. L. 86-361 on use of funds to pay the salary or pay of any individual in legislative, executive, or judicial branch in position equal to or above Level V of the Executive Schedule, see section 101(c) of Pub. L. 86-361, set out as a note under section 5318 of this title.

Compensation and Emoluments of Secretaries of State; Fixing at level in Effect January 1, 1977. Pub. L. 95-241, § 1, 1978, 94 Stat. 343, limited the compensation and other emoluments attached to the office of Secretary of State to in effect Jan. 1, 1977, during the beginning May 3, 1980, and ending the date on which the first individual appointed to that office after May 3, 1980, to hold that office.

Legislative History. For legislative history and purpose of Pub. L. 95-54, see 1979 U. S. Code Cong. and Adm. News, p. 581. See, also, Pub. L. 95-58, 1979 U. S. Code Cong. and Adm. News, p. 1514; 97-454, 1982 U.S. Code Cong. and Adm. News, p. —.

Applies to the following positions. All be the rate determined with title 2, as adjusted by section

Personal Development.

Nautics and Space Administra-

Commission.

Users.

the Federal Reserve System.

Technology.

Control and Disarmament Agen-

ation Agency.

Administration.

Foundation.

Management.

Administration.

2, Oct. 17, 1980, 94 Stat. 2164; at. 2441.

see section 2403 of Pub. L. 96-465, set as a note under section 3901 of title 22, Foreign Relations and Inter-

Rep. Section 16(c) of Pub. L. 93-493, set out in the credit of this section, was repealed by Pub. L. 97-449, § 7(b), Jan. 12, 1983, 96 Stat. 2444.

1982 Increases in Salaries. Salaries of positions at Level II increased to \$77,300 per annum, effective on the first day of the first pay period beginning on or after Oct. 1, 1982, as provided by Ex. Ord. No. 12387, Oct. 8, 1982, 47 F.R. 44981, set out as a note under section 5332 of this title. Ex. Ord. No. 12387 further provided that pursuant to section 101(c) of Pub. L. 97-276 funds are not available to pay a salary at a rate which exceeds the rate in effect on Sept. 30, 1982, which was \$80,662.50.

Limitation on the use of funds appropriated or authority made available for the period Oct. 1, 1982, through Sept. 30, 1983, by any Act to pay the salary or pay of any individual in an office or position in the legislative, executive, or judicial branch, or in the government of the District of Columbia, at a rate equal to or greater than Level V of the Executive Schedule, see section 306(a), (b), and (d) of S. 2930, Ninety-seventh Congress, 2nd Session, as reported Sept. 22, 1982, which was incorporated by reference in Pub. L. 97-276, § 101(e), Oct. 2, 1982, 96 Stat. 1189, to be effective as if enacted into law, and which is set out as a note under section 5318 of this title.

1981 Increases in Salaries. Salaries of positions at Level II increased to \$74,300 per annum, effective on the first day of the first pay period beginning on or after Oct. 1, 1981, as provided by Ex. Ord. No. 12330, Oct. 15, 1981, 46 F.R. 50921, set out as a note under section 5332 of this title. Ex. Ord. No. 12330 further provided that pursuant to section 101(c) of Pub. L. 97-51 funds are not available to pay a salary at a rate which exceeds the rate in effect on Sept. 30, 1981, which was \$80,662.50.

Limitations on use of funds for fiscal year ending Sept. 30, 1982, appropriated by any Act to pay the salary or pay of any individual in legislative, executive, or judicial branch in position equal to or above Level V of the Executive Schedule, see sections 101(g) and 141 of Pub. L. 97-92 set out as a note under section 5318 of this title.

1980 Increases in Salaries. Salaries of positions at Level II increased to \$70,900

per annum, effective on the first day of the first pay period beginning on or after Oct. 1, 1980, as provided by Ex. Ord. No. 12248, Oct. 16, 1980, 45 F.R. 69199, set out as a note under section 5332 of this title. Ex. Ord. No. 12248 further provided that pursuant to section 101(c) of Pub. L. 96-360, funds are not available to pay a salary at a rate which exceeds the rate in effect on Sept. 30, 1980, which was \$80,662.50.

Limitations on use of funds for fiscal year ending Sept. 30, 1981, appropriated by any Act to pay the salary or pay of any individual in legislative, executive, or judicial branch in position equal to or above Level V of the Executive Schedule, see section 101(c) of Pub. L. 96-538, as amended, set out as a note under section 5318 of this title.

1979 Increases in Salaries. Salaries of positions at Level II increased to \$65,000 per annum, effective on the first day of the first pay period beginning on or after Oct. 1, 1979, as provided by Ex. Ord. 12165, Oct. 9, 1979, 44 F.R. 58671, as amended by Ex. Ord. No. 12300, Mar. 12, 1980, 45 F.R. 16443. Ex. Ord. No. 12165 further provided that pursuant to section 101(c) of Pub. L. 96-96 funds appropriated for fiscal year 1980 may not be used to pay a salary at a rate which exceeds an increase of 5.5 percent over the rate in effect on Sept. 30, 1978, which is a maximum rate payable of \$80,662.50.

Applicability to funds appropriated by any Act for fiscal year ending Sept. 30, 1980, of limitation of section 504 of Pub. L. 96-361 on use of funds to pay the salary or pay of any individual in legislative, executive, or judicial branch in position equal to or above Level V of the Executive Schedule, see section 101(c) of Pub. L. 96-96, set out as a note under section 5318 of this title.

Legislative History. For legislative history and purpose of Pub. L. 95-54, see 1979 U. S. Code Cong. and Adm. News, p. 581. See, also, Pub. L. 95-465, 1980 U. S. Code Cong. and Adm. News, p. 4419; Pub. L. 97-449, 1982 U.S. Code Cong. and Adm. News, p. —.

Cross References

Annual rate of basic pay of Comptroller General equal to rate for level II, see section 703 of Title 31, Money and Finance.

### § 5314. Positions at level III

Level III of the Executive Schedule applies to the following positions, for which the annual rate of basic pay shall be the rate determined with respect to such level under chapter 11 of title 2, as adjusted by section 5318 of this title:

Solicitor General of the United States.

Under Secretary of Commerce, Under Secretary of Commerce for Economic Affairs, and Under Secretary of Commerce for Travel and Tourism.

Under Secretary of Education.

Under Secretary of Health and Human Services.

Under Secretary of the Interior.

Under Secretary of Labor.

Under Secretary of State for Political Affairs and Under Secretary of State for Economic Affairs and an Under Secretary of State for Coordinating Security Assistance Programs and Under Secretary of State for Management.

Under Secretary of the Treasury (or Counselor).

Under Secretary of the Treasury for Monetary Affairs.

Administrator of General Services.

## 5 § 5314 GOVERNMENT ORGANIZATION

Administrator of the Small Business Administration.  
 Deputy Administrator of Veterans' Affairs.  
 Deputy Administrator, Agency for International Development.  
 Chairman, Civil Aeronautics Board.  
 Chairman of the Merit Systems Protection Board.  
 Chairman, Federal Communications Commission.  
 Chairman, Board of Directors, Federal Deposit Insurance Corporation.  
 Chairman of the Federal Home Loan Bank Board.  
 Chairman, Federal Energy Regulatory Commission.  
 Chairman, Federal Trade Commission.  
 Chairman, Interstate Commerce Commission.  
 Chairman, National Labor Relations Board.  
 Chairman, Securities and Exchange Commission.  
 Chairman, Board of Directors of the Tennessee Valley Authority.  
 Chairman, National Mediation Board.  
 Chairman, Railroad Retirement Board.  
 Chairman, Federal Maritime Commission.  
 Comptroller of the Currency.  
 Commissioner of Internal Revenue.  
 Under Secretaries of Defense (2).  
 Deputy Administrator of the National Aeronautics and Space Administration.  
 Deputy Director of the Bureau of the Budget.  
 Deputy Director of Central Intelligence.  
 Director of the Office of Emergency Planning.  
 Director of the Peace Corps.  
 Deputy Director, National Science Foundation.  
 President of the Export-Import Bank of Washington.  
 Members, Nuclear Regulatory Commission.  
 Members, Board of Governors of the Federal Reserve System.  
 Director of the Federal Bureau of Investigation, Department of Justice.  
 Administrator of the National Highway Traffic Safety Administration.  
 Administrator, Federal Railroad Administration.  
 Chairman, National Transportation Safety Board.  
 Chairman of the National Endowment for the Arts the incumbent of which also serves as Chairman of the National Council on the Arts.  
 Chairman of the National Endowment for the Humanities.  
 Director of the Federal Mediation and Conciliation Service.  
 Under Secretary of Housing and Urban Development.  
 Urban Mass Transportation Administrator.  
 President, Overseas Private Investment Corporation.  
 Chairman, Postal Rate Commission.  
 Chairman, Occupational Safety and Health Review Commission.  
 Governor of the Farm Credit Administration.  
 Chairman, Equal Employment Opportunity Commission.  
 Chairman, Consumer Product Safety Commission.  
 Under Secretary, Department of Energy.  
 Chairman, Commodity Futures Trading Commission.  
 Deputy United States Trade Representatives (3).  
 Chairman, United States International Trade Commission.  
 Administrator, National Oceanic and Atmospheric Administration.  
 Associate Attorney General.  
 Chairman, Federal Mine Safety and Health Review Commission.  
 Chairman, National Credit Union Administration Board.  
 Deputy Director of the Office of Personnel Management.  
 Under Secretary of Agriculture for International Affairs and Com-

## GOVERNMENT OF

Director, Institute for Scientific  
 Director, Office of Justice Assis  
 Under Secretary of Agriculture  
 Development.

Administrator, Maritime Admin  
 Executive Director Property Rev  
 As amended Pub.L. 90-351, Title I, §  
 Dec. 27, 1979, 93 Stat. 1204; Pub.L.  
 Stat. 1173, and amended Pub.L. 97-3  
 Stat. 153; Pub.L. 97-63, § 4(a)(4), C  
 97-195, § 1(b)(1), June 16, 1982, 9  
 I, § 123, Dec. 21, 1982, 96 Stat. 1913  
 1983, 96 Stat. 2441; Pub.L. 97-456,  
 2506.

Codification. Pub.L. 92-255, Title II, §  
 200(a), as added Pub.L. 94-237, § 4(b),  
 Mar. 19, 1976, 90 Stat. 243, which had  
 added the item for Director of the Office  
 of Drug Abuse Policy and which is set  
 out in the credit of this section, was  
 omitted in the complete revision of Title  
 II of Pub.L. 92-255 by Pub.L. 94-151,  
 § 4, Jan. 2, 1976, 90 Stat. 1306, under  
 which the former Office of Drug Abuse  
 Policy was abolished. Pursuant to that  
 revision, the item relating to the Director  
 of the Office of Drug Abuse Policy has  
 been omitted.

1980 Amendment. Pub.L. 97-195 sub-  
 stituted "Under Secretary of Commerce,  
 Under Secretary of Commerce for Eco-  
 nomic Affairs, and Under Secretary of  
 Commerce for Travel and Tourism" for  
 "Under Secretary of Commerce and Under  
 Secretary of Commerce for Travel and  
 Tourism".

1981 Amendment. Pub.L. 97-63 substi-  
 tuted "Under Secretary of Commerce and  
 Under Secretary of Commerce for Travel  
 and Tourism" for "Under Secretary of  
 Commerce".

Pub.L. 97-31 added item relating to  
 Administrator, Maritime Administration.

1980 Amendment. Pub.L. 96-355 added  
 item relating to Under Secretary of Agri-  
 culture for Small Community and Rural  
 Development.

1979 Amendment. Pub.L. 96-351, § 303,  
 as added by Pub.L. 95-157, added item  
 relating to Director, Office of Justice  
 Assistance, Research, and Statistics, and  
 struck out item relating to Administrator  
 of Law Enforcement Assistance.

Effective Date of 1981 Amendment.  
 Amendment by Pub.L. 97-63 effective Oct.  
 1, 1981, see section 6 of Pub.L. 97-63, set  
 out as a note under section 2121 of Title  
 22, Foreign Relations and Intercourse.

Effective Date of 1980 Amendment.  
 Amendment by Pub.L. 96-355 effective  
 Oct. 1, 1980, see section 16 of Pub.L. 96-  
 355, set out as a note under section 2204b  
 of Title 7, Agriculture.

Repeals. Pub.L. 92-612, Title I, §  
 141(b)(3)(B), Jan. 3, 1973, 86 Stat. 1993,  
 set out in the credit of this section, was  
 repealed by Pub.L. 97-454, § 3(d)(1), Jan.  
 12, 1983, 96 Stat. 2505.

1980 Increases in Salaries. Salaries of  
 positions at Level III increased to \$70,500  
 per annum, effective on the first day of  
 the first pay period beginning on or aft-  
 er Oct. 1, 1980, as provided by Ex. Ord.  
 No. 12387, Oct. 8, 1980, 47 F.R. 44041, set  
 out as a note under section 5323 of this  
 title. Ex. Ord. No. 12387 further pro-  
 vided that pursuant to section 101(e) of  
 Pub.L. 97-278 funds are not available to  
 pay a salary at a rate which exceeds the  
 rate in effect on Sept. 30, 1982, which was  
 \$59,500.00.

Limitation on the use of funds appro-  
 priately made available for

Administration.  
Affairs.  
International Development.  
d.  
Protection Board.  
ns Commission.  
Federal Deposit Insurance Cor-  
an Bank Board.  
tory Commission.  
ision.  
ommission.  
ns Board.  
e Commission.  
the Tennessee Valley Authority.  
ard.  
oard.  
mission.  
e.  
National Aeronautics and Space  
he Budget.  
gence.  
y Planning.  
Foundation.  
ank of Washington.  
mission.  
the Federal Reserve System.  
of Investigation, Department of  
Highway Traffic Safety Admin-  
Administration.  
n Safety Board.  
wment for the Arts the incum-  
an of the National Council on the  
ment for the Humanities.  
and Conciliation Service.  
Urban Development.  
nistrator.  
ment Corporation.  
on.  
and Health Review Commission.  
nistration.  
portunity Commission.  
ty Commission.  
Energy.  
ading Commission.  
esentatives (S).  
tional Trade Commission.  
and Atmospheric Administration.  
and Health Review Commission.  
Administration Board.  
Personnel Management.  
or International Affairs and Com-

Director, Institute for Scientific and Technological Cooperation.  
Director, Office of Justice Assistance, Research, and Statistics.  
Under Secretary of Agriculture for Small Community and Rural Development.

Administrator, Maritime Administration.

Executive Director Property Review Board.

As amended Pub.L. 90-351, Title I, § 808, as added Pub.L. 96-157, § 2, Dec. 27, 1979, 93 Stat. 1204; Pub.L. 96-355, § 3(b), Sept. 24, 1980, 94 Stat. 1173, and amended Pub.L. 97-31, § 12(1)(A), Aug. 6, 1981, 95 Stat. 153; Pub.L. 97-63, § 4(a)(4), Oct. 16, 1981, 95 Stat. 1014; Pub.L. 97-195, § 1(b)(1), June 16, 1982, 96 Stat. 115; Pub.L. 97-377, Title I, § 123, Dec. 21, 1982, 96 Stat. 1913; Pub.L. 97-449, § 3(2), Jan. 12, 1983, 96 Stat. 2441; Pub.L. 97-456, § 3(d)(6), Jan. 12, 1983, 96 Stat. 2506.

**Codification.** Pub.L. 92-255, Title II, § 209(a), as added Pub.L. 94-237, § 4(b), Mar. 19, 1976, 90 Stat. 243, which had added the item for Director of the Office of Drug Abuse Policy and which is set out in the credit of this section, was omitted in the complete revision of Title II of Pub.L. 92-255 by Pub.L. 96-181, § 4, Jan. 2, 1980, 93 Stat. 1300, under which the former Office of Drug Abuse Policy was abolished. Pursuant to that revision, the item relating to the Director of the Office of Drug Abuse Policy has been omitted.

**1983 Amendment.** Pub.L. 97-195 substituted "Under Secretary of Commerce, Under Secretary of Commerce for Economic Affairs, and Under Secretary of Commerce for Travel and Tourism," for "Under Secretary of Commerce and Under Secretary of Commerce for Travel and Tourism".

**1981 Amendments.** Pub.L. 97-63 substituted "Under Secretary of Commerce and Under Secretary of Commerce for Travel and Tourism" for "Under Secretary of Commerce".

Pub.L. 97-31 added item relating to Administrator, Maritime Administration.

**1980 Amendment.** Pub.L. 96-355 added item relating to Under Secretary of Agriculture for Small Community and Rural Development.

**1979 Amendment.** Pub.L. 90-351, § 808, as added by Pub.L. 96-157, added item relating to Director, Office of Justice Assistance, Research, and Statistics, and struck out item relating to Administrator of Law Enforcement Assistance.

**Effective Date of 1981 Amendment.** Amendment by Pub.L. 97-63 effective Oct. 1, 1981, see section 6 of Pub.L. 97-63, set out as a note under section 2121 of Title 22, Foreign Relations and Intercourse.

**Effective Date of 1980 Amendment.** Amendment by Pub.L. 96-355 effective Oct. 1, 1980, see section 10 of Pub.L. 96-355, set out as a note under section 2204b of Title 7, Agriculture.

**Repeals.** Pub.L. 92-618, Title I, § 141(b)(3)(B), Jan. 3, 1975, 89 Stat. 1999, set out in the credit of this section, was repealed by Pub.L. 97-456, § 3(d)(1), Jan. 12, 1983, 96 Stat. 2505.

**1983 Increases in Salaries.** Salaries of positions at Level III increased to \$70,500 per annum, effective on the first day of the first pay period beginning on or after Oct. 1, 1982, as provided by Ex. Ord. No. 12387, Oct. 8, 1982, 47 F.R. 44981, set out as a note under section 5332 of this title. Ex. Ord. No. 12387 further provided that pursuant to section 101(e) of Pub.L. 97-276 funds are not available to pay a salary at a rate which exceeds the rate in effect on Sept. 30, 1982, which was \$59,500.00.

Limitation on the use of funds appropriated or authority made available for

the period Oct. 1, 1982, through Sept. 30, 1983, by any Act to pay the salary or pay of any individual in an office or position in the legislative, executive, or judicial branch, or in the government of the District of Columbia, at a rate equal to or greater than Level V of the Executive Schedule, see section 5306(a), (b), and (d) of S.2939, Ninety-seventh Congress, 2nd Session, as reported Sept. 22, 1982, which was incorporated by reference in Pub.L. 97-276, § 101(e), Oct. 2, 1982, 96 Stat. 1189, to be effective as if enacted into law, and which is set out as a note under section 5318 of this title.

**1981 Increases in Salaries.** Salaries of positions at Level III increased to \$67,800 per annum, effective on the first day of the first pay period beginning on or after Oct. 1, 1981, as provided by Ex. Ord. No. 12330, Oct. 15, 1981, 46 F.R. 50921, set out as a note under section 5332 of this title. Ex. Ord. No. 12330 further provided that pursuant to section 101(c) of Pub.L. 97-61 funds are not available to pay a salary at a rate which exceeds the rate in effect on Sept. 30, 1981, which was \$55,387.50.

**Limitations on use of funds for fiscal year ending Sept. 30, 1982,** appropriated by any Act to pay the salary or pay of any individual in legislative, executive, or judicial branch in position equal to or above Level V of the Executive Schedule, see sections 101(g) and 141 of Pub.L. 97-92, set out as a note under section 5318 of this title.

**1980 Increases in Salaries.** Salaries of positions at Level III increased to \$64,700 per annum, effective on the first day of the first pay period beginning on or after Oct. 1, 1980, as provided by Ex. Ord. No. 12248, Oct. 16, 1980, 45 F.R. 60199, set out as a note under section 5332 of this title. Ex. Ord. No. 12248, further provided that pursuant to section 101(c) of Pub.L. 96-360, funds are not available to pay a salary at a rate which exceeds the rate in effect on Sept. 30, 1980, which was \$55,387.50.

**Limitations on use of funds for fiscal year ending Sept. 30, 1981,** appropriated by an Act to pay the salary or pay of any individual in legislative, executive, or judicial branch in position equal to or above Level V of the Executive Schedule, see section 101(c) of Pub.L. 96-534, as amended, set out as a note under section 5318 of this title.

**1979 Increases in Salaries.** Salaries of positions at Level III increased to \$59,300 per annum, effective on the first day of the first pay period beginning on or after Oct. 1, 1979, as provided by Ex. Ord. No. 12165, Oct. 9, 1979, 44 F.R. 58871, as amended by Ex. Ord. No. 12200, Mar. 12, 1980, 45 F.R. 16443. Ex. Ord. No. 12165 further provided that pursuant to section 101(c) of Pub.L. 96-86 funds appropriated